

RUBINSTEIN & COROZZO, LLP

COUNSELORS AT LAW

RONALD RUBINSTEIN

JOSEPH R. COROZZO

DENNIS GIACOMO VILELLA

260 MADISON AVENUE

22ND FLOOR

NEW YORK, N.Y. 10016

TELEPHONE (212) 545-8777

FAX (212) 679-1844

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Via Facsimile (212 – 805 – 7917) and ECF

Honorable Robert P. Patterson
United States District Judge
500 Pearl St., Room 2550
New York, NY 10007

RE: *United States v. Daniel Karron*, 07-cr-00541

Dear Honorable Judge Patterson:

I submit this motion in an abundance of caution as the government was to furnish defense counsel with any and all 404(b) evidence in the above referenced case by the end of business today May 12, 2008.

Federal Rule of Evidence 404(b) requires:

[u]pon request by the accused, the prosecution in a criminal case shall provide reasonable notice in advance of trial, or during trial, if the Court excuses pretrial notice on good cause shown, of the general nature of any such evidence it intends to introduce at trial.

The defendant respectfully requests that the Government be compelled, within a reasonable time prior to trial, to provide the defense counsel with any prior or similar act evidence it intends to introduce at trial, pursuant to Fed. R. Evid. 404(b). Such notice should include the nature of this evidence, the pertinent witnesses, any supporting documentation, and the legal theory of admissibility to be relied upon by the Government. Such a procedure is necessary to enable the accused to file appropriate *motions in limine* and to allow this Court to make a considered pretrial determination of the admissibility of any such evidence proffered by the Government. Moreover, such pretrial notice would provide the defense an opportunity to challenge the evidence on its merits or discuss with the Government the possibility of stipulating to such evidence.

Respectfully submitted,

/s/

Ronald Rubinstein

cc: AUSA Steven Kwok via ECF